

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

MWK RECRUITING, INC.,

Plaintiff,

v.

EVAN P. JOWERS,

Defendant.

1:18-CV-444-RP

EVAN P. JOWERS,

Counterplaintiff,

v.

MWK RECRUITING, INC., ROBERT E.  
KINNEY, RECRUITING  
PARTNERS GP, INC.,  
KINNEY RECRUITING LLC,  
COUNSEL UNLIMITED LLC, and KINNEY  
RECRUITING LIMITED,

Counterdefendants.

**ORDER**

On November 12, 2019, the Court granted Plaintiff/Counterdefendant MWK Recruiting, Inc. (“MWK”) and Counterdefendants Robert E. Kinney (“Kinney”), Michelle W. Kinney, Recruiting Partners GP, Inc., Kinney Recruiting LLC, Counsel Unlimited LLC, and Kinney Recruiting Limited’s (collectively, the “MWK entities”) Opposed Expedited Motion for Issuance of a Preliminary and a Permanent Injunction (“Injunction Motion”). (Mot., Dkt. 102; Order, Dkt. 119).

Defendant/Counterplaintiff Evan P. Jowers (“Jowers”) appealed the Court’s order on November 19, 2019. (Dkt. 121). On November 6, 2020, the Fifth Circuit Court of Appeals vacated

the Court's order and remanded the MWK entities' Injunction Motion for further consideration and assessment by the Court in accordance with the Fifth Circuit's order. (Dkt. 222, at 9).

On December 22, 2021, the Court issued an Order stating that the injunction remained vacated in accordance with the Fifth Circuit's judgment, and the Court would moot the MWK entities' Injunction Motion, (Dkt. 102), absent a request from one or all of the parties by filing the appropriate motion on or before January 15, 2021. (Order, Dkt. 238). None of the parties filed such a motion.

Accordingly, **IT IS ORDERED** that the MWK entities' Injunction Motion, (Dkt. 102), is **MOOT**.

**SIGNED** on January 21, 2021.



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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE